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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

WASTE MANAGEMENT OF NEW  
JERSEY, INC.,

Plaintiff,

vs.

TEAMSTERS-EMPLOYERS LOCAL 945  
PENSION FUND and TRUSTEES OF  
TEAMSTERS-EMPLOYERS LOCAL 945  
PENSION FUND,

Defendants.

Civil Action No. 10-cv-3984  
(FSH)(PS)

**Oral Argument Requested**

**MOTION FOR TEMPORARY RESTRAINING ORDER AND  
PRELIMINARY INJUNCTION TO ENJOIN ARBITRATION  
SCHEDULED FOR SEPTEMBER 29, 2010**

Pursuant to Federal Rule of Civil Procedure 65, and for the reasons set forth in the accompanying memorandum of law, Plaintiff Waste Management of New Jersey, Inc. respectfully requests that the Court grant its motion for a

Temporary Restraining Order and Preliminary Injunction.

/s/ Frank A. Custode

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Attorneys for Plaintiff

Dated: September 16, 2010

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

WASTE MANAGEMENT OF NEW  
JERSEY, INC.,

Plaintiff,

vs.

TEAMSTERS-EMPLOYERS LOCAL 945  
PENSION FUND and TRUSTEES OF  
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(FSH)(PS)

**ORDER TO SHOW CAUSE WITH TEMPORARY RESTRAINTS**

This matter having come before the Court on the application of Plaintiff Waste Management of New Jersey, Inc., and the Court having reviewed the papers submitted in support of the application and the Court having further heard the arguments of counsel; and

It appearing to the Court that Defendant Teamsters-Employers Local 945 Pension Fund ("the Fund") is attempting to force Plaintiff to arbitrate a dispute that Plaintiff never agreed to arbitrate,

IT IS HEREBY TEMPORARILY ORDERED as follows:

1. Defendants shall show cause before this Court on the \_\_\_\_ day of September 2010 at \_\_\_\_ a.m./p.m. why an Order should not be entered granting the preliminary injunction sought by Plaintiff.

2. Pending the preliminary injunction hearing, the arbitration scheduled to begin on September 29, 2010 between Plaintiff and the Fund before Arbitrator Margaret S. Leibowitz is hereby enjoined.

3. A copy of the pleadings and papers filed by Plaintiff, together with a copy of this Order, shall be served upon Defendants, which service may be made by any person authorized by law to effect service or any employee of Littler Mendelson, P.C. delivering a copy of those documents to Defendants' counsel, Ronald Richman, by overnight express delivery or email.

BY THE COURT:

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J.

**UNITED STATES DISTRICT COURT  
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WASTE MANAGEMENT OF NEW  
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Plaintiff,

vs.

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Defendants.

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**PRELIMINARY INJUNCTION**

AND NOW, this \_\_\_\_\_ day of September, 2010, upon consideration of the papers submitted by the parties, and after entertaining evidence and hearing oral argument, IT IS HEREBY ORDERED THAT the Motion for a Preliminary Injunction of Plaintiff Waste Management of New Jersey, Inc. is GRANTED. IT IS FURTHER ORDERED that the arbitral proceedings between Plaintiff and Defendant Teamsters-Employers Local 945 Pension Fund scheduled to begin before Arbitrator Margaret Leibowitz

on September 29, 2010 are enjoined until further notice.

BY THE COURT:

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J.